

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David R. Dunlap**  
Debtor(s)

Bankruptcy Case No.: 19-22782-CMB  
Issued Per Aug. 19, 2019 Proceeding  
Chapter: 13  
Docket No.: 22 - 5  
Concil. Conf.: January 30, 2020 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 12, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 30, 2020 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Ford Motor Credit Co. at Claim No. 1 .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 23, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 David R. Dunlap  
 Debtor

Case No. 19-22782-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 48

Date Rcvd: Aug 23, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2019.

db  
 15086260 +David R. Dunlap, 10 N. Grandview Avenue, Pittsburgh, PA 15205-4428  
 15086261 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250  
 15086264 +Barclays Bank Delaware, Attn: Correspondence, PO Box 8801, Wilmington, DE 19899-8801  
 15086265 Charles H. Sakai, DMD, 1913 Crafton Blvd, Pittsburgh, PA 15205-4404  
 Client Services, Inc., Re: Synchrony Bank Walmart MC, 3451 Harry S Truman Blvd,  
 Saint Charles, MO 63301-4047  
 15086267 +Diversified Consultants, Inc., Attn: Bankruptcy, PO Box 679543, Dallas, TX 75267-9543  
 15089081 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: FORD MOTOR CREDIT COMPANY LLC, PO BOX 62180,  
 COLORADO SPRINGS, CO 80962-2180)  
 15086268 +First Premier Bank, Attn: Bankruptcy, PO Box 5524, Sioux Falls, SD 57117-5524  
 15086269 +FirstSource Advantage, LLC, Re: Capital One, 205 Bryant Woods South,  
 Buffalo, NY 14228-3609  
 15086270 +FordCredit, National Bankruptcy Center, PO Box 6275, Dearborn, MI 48121-6275  
 15086271 +Fortiva, Attn: Bankruptcy, PO Box 105555, Atlanta, GA 30348-5555  
 15086272 +GC Services Limited Partnership, Re: Sprint, 6330 Gulfton, Houston, TX 77081-1108  
 15086276 +LTD Financial Services LP, Re: Distressed Asset Portfolio III, LLC, 3200 Wilcrest Suite 600,  
 Houston, TX 77042-6000  
 15086281 +MRS, Re: Synchrony Bank/Care Credit, 1930 Olney Avenue, Cherry Hill, NJ 08003-2016  
 15086278 +Management Services, Inc., Re: Barclays Bank Delaware, PO Box 1099,  
 Langhorne, PA 19047-6099  
 15086279 +Medical Rescue Team South Authority, P.O. Box 18210, Pittsburgh, PA 15236-0210  
 15086283 +Parkway Clinical Laboratories, 3494 Progress Drive, STE D, Bensalem, PA 19020-5815  
 15086284 +Rennerdale EMS, 30 Suburban Ave, Carnegie, PA 15106-1489  
 15086285 +Roseanne Dunlap, 10 N. Grandview Avenue, Pittsburgh, PA 15205-4428  
 15086287 Saint Clair Medical Services, PO Box 1870, Cary, NC 27512-1870  
 15086288 +Sprint, PO Box 1466, Houston, TX 77251-1466  
 15105857 +The Bank of Missouri, PO Box 105555, Atlanta, GA 30348-5555  
 15086291 +Transworld Systems, Re: Medical Rescue Team South Authority, 300 Cedar Ridge Dr.,  
 Suite 307, Pittsburgh, PA 15205-1159  
 15086292 Unifund CCR LLC, 10625 Techwood Circle, Cincinnati, OH 45242-2846  
 15086293 Van RU Credit Corporation, Re: Fortiva Financial, Dept 96037, Oaks, PA 19456  
 15086294 +Wells Fargo Dealer Services, Attn: Bankruptcy, PO Box 19657, Irvine, CA 92623-9657

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Aug 24 2019 02:21:09 Duquesne Light Company,  
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 24 2019 02:24:37  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15086262 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:24:33 Capital One,  
 Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285  
 15091388 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:24:33  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 15109143 +E-mail/Text: bankruptcy@cavps.com Aug 24 2019 02:20:56 Cavalry SPV I, LLC,  
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321  
 15086263 +E-mail/Text: bankruptcy@cavps.com Aug 24 2019 02:20:56  
 Cavalry SPV I, LLC Assignee of Citibank, c/o Andrew Zaro President/CEO,  
 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321  
 15086266 E-mail/Text: bankruptcy.bnc@ditech.com Aug 24 2019 02:20:16 Ditech Financial LLC,  
 PO Box 6172, Rapid City, SD 57709-6172  
 15086273 +E-mail/Text: bankruptcy@halstedfinancial.com Aug 24 2019 02:21:16  
 Halsted Financial Services, LLC, Re: LVNV Funding LLC, PO Box 828, Skokie, IL 60076-0828  
 15086274 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Aug 24 2019 02:20:50 KeyBank,  
 Attn: Bankruptcy, Oh-01-51-0622) 4910 Tiedeman Rd, Brooklyn, OH 44144-2338  
 15086275 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Aug 24 2019 02:20:50 Keybank, Na,  
 4910 Tiedman Road, Brooklyn, OH 44144-2338  
 15089718 E-mail/PDF: resurgentbknofications@resurgent.com Aug 24 2019 02:24:17 LVNV Funding, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 15086277 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 24 2019 02:24:18  
 LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Re: Credit One Bank N.A., PO Box 10497,  
 Greenville, SC 29603-0497  
 15097331 E-mail/Text: bkr@cardworks.com Aug 24 2019 02:19:59 MERRICK BANK,  
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
 15086280 +E-mail/Text: bkr@cardworks.com Aug 24 2019 02:19:59 Merrick Bank/CardWorks,  
 Attn: Bankruptcy, PO Box 9201, Old Bethpage, NY 11804-9001  
 15086282 +E-mail/PDF: cbp@onemainfinancial.com Aug 24 2019 02:23:41 OneMain Financial,  
 Attn: Bankruptcy, 601 Nw 2nd St #300, Evansville, IN 47708-1013  
 15100041 +E-mail/PDF: cbp@onemainfinancial.com Aug 24 2019 02:23:41 Onemain, PO Box 3251,  
 Evansville, IN 47731-3251  
 15109198 +E-mail/Text: JCAP\_BNC\_Notices@jcap.com Aug 24 2019 02:20:52 Premier Bankcard, Llc,  
 Jefferson Capital Systems LLC Assignee, PO Box 7999, Saint Cloud Mn 56302-7999

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 48

Date Rcvd: Aug 23, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15093143	E-mail/Text: appebnmailbox@sprint.com Aug 24 2019 02:20:37	Sprint Corp,
	Attention Bankruptcy, PO Box 7949, Overland Park, KS, 66207 - 0949	
15086286	E-mail/Text: PFS.Analyst@stclair.org Aug 24 2019 02:21:04	Saint Clair Hospital,
	1000 Bower Hill Road, Pittsburgh, PA 15243-1899	
15086724	+E-mail/PDF: gecsed@recoverycorp.com Aug 24 2019 02:24:27	Synchrony Bank,
	c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021	
15086289	+E-mail/PDF: gecsed@recoverycorp.com Aug 24 2019 02:23:42	Synchrony Bank/Care Credit,
	Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060	
15086290	+E-mail/PDF: gecsed@recoverycorp.com Aug 24 2019 02:24:27	Synchrony Bank/Walmart,
	Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060	

TOTAL: 22

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr  
15100827\* Ditech Financial LLC  
+OneMain, PO Box 3251, Evansville, IN 47731-3251

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 25, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2019 at the address(es) listed below:

Bryan P. Keenan on behalf of Debtor David R. Dunlap keenan662@gmail.com, melindap662@gmail.com  
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5